



COMMONWEALTH OF KENTUCKY

ETHICS COMMITTEE OF THE KENTUCKY JUDICIARY

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JUDICIAL ETHICS OPINION JE-19

(Informal)

QUESTION: May a judge and spouse serve as an honorary chairmen for "The Official Presidential Inaugural Ball?"

ANSWER: No.

REFERENCES: SCR 4.300, Canon 7A(1)(a) and 7A(2).

OPINION: (January, 1981):

Canon 7A(1) reads in part: "A judge ... should not (a) act as a leader ... in a political organization;..."

Canon 7A(2) provides in part: "A judge ... may attend political gatherings ... when he is a candidate for election or reelection....For purposes of this canon a judge ... will be deemed to be a candidate for reelection during his entire term of office."

This Committee has been informed that the ball in question is one of 100 similar celebrations being held simultaneously with the national ceremonies in Washington on the evening of Mr. Reagan's inauguration as President of the United States, that by law the function must be non-partisan, that any profit will be donated to the Kidney Foundation, and that there will be several honorary chairmen.

While recognizing that the ball is officially non-partisan, the Committee is of the opinion that it will be perceived by the public as a Republican celebration of victory at the polls. For that reason, anyone connected with it in an official capacity is likely to be regarded by the public as a party leader. The Committee therefore takes the position that serving as an honorary chairman is forbidden by Canon 7A(1)(a).

Canon 7A(2), however, permits a judge to attend political gatherings when he is a candidate for reelection, and states that he is a candidate during his entire term of office. We interpret this to mean that a judge may attend one of the Official Presidential Inaugural Balls as a candidate. Care must be taken, of course, not to identify oneself as a member of a political party.

B. M. Westberry, Chairman
Ethics Committee of the Kentucky Judiciary